



Weekly Summary of Decisions

National Labor Relations Board

Week of January 17-21, 2011, W-3296

The *Weekly Summary* is provided for informational purposes only and is not intended to substitute for the opinions of the NLRB. Inquiries should be directed to the Office of Public Affairs at Publicinfo@nrlb.gov or 202-273-1991.

Summarized Board Decisions

Mars Home for Youth (6-CA-37135; 356 NLRB No. 79) Mars, PA, January 18, 2011. [[HTML](#)] [[PDF](#)]

The employer in this case is a non-profit facility that provides residential, educational and community-based services for at-risk youth. In August 2010, the NLRB certified the union as the bargaining representative of employees following a secret ballot vote, but the employer refused to bargain with the union, claiming the election results were not valid because some voting employees were supervisors. However, that point had already been litigated and the Acting General Counsel alleged that the employer had a duty to bargain. In this summary judgment, the Board agreed, finding that the respondent violated the Act by refusing to recognize and bargain with the union as the exclusive collective-bargaining representative of unit employees. The employer was ordered to commence bargaining, and to file a sworn certification showing compliance within 21 days of the order.

Charge filed by Pennsylvania Social Services Union, Local 668, a/w Service Employees International Union. Chairman Liebman and Members Pearce and Hayes participated.

Buggy Whip (20-CA-35151; 356 NLRB No. 80) Sacramento, CA, January 20, 2011. [[HTML](#)] [[PDF](#)]

The employer, a Sacramento restaurant, failed to answer a complaint and the Acting General Counsel sought default judgment from the Board. The complaint found that the employer had refused to bargain in good faith with the union, and failed to make monthly contributions to the employees' pension and health care plans since January 1, 2010. The Board ordered the employer to bargain in good faith, make all delinquent contributions to the plans, and reimburse unit employees for any expenses ensuing from its failure to make the required contributions, with interest.

Charge filed by UNITE HERE! Local 49, UNITE HERE! International Union, AFL-CIO. Chairman Liebman and Members Pearce and Hayes participated.

Gross School Bus Service, Inc. (4-CA-37768; 356 NLRB No. 81) Pottstown and Bechtelsville, PA, January 21, 2011. [[HTML](#)] [[PDF](#)]

The Board found that the employer, a school bus operator, refused to recognize and bargain with the union as the exclusive collective-bargaining representative of unit employees, in violation of the Act. In September 2010, the NLRB certified the union as the bargaining representative of employees following a secret ballot vote, but the employer refused to meet and bargain. In this summary judgment, the Board ordered the employer to commence bargaining, and to file a sworn certification showing compliance within 21 days of the order.

Charge filed by International Brotherhood of Teamsters, Local 384. Chairman Liebman and Members Becker and Pearce participated.

Unpublished Board Decisions in Representation Cases

Jenkins Security Consultants, Inc. (5-RC-16602) Washington, DC, January 19, 2011. Order denying employer's and petitioner's requests for review of the Regional Director's decision and order. Petitioner – United Security & Police Officers of America. Chairman Liebman and Members Pearce and Hayes participated.

Alex Figliolia Water and Sewer, LLC (29-RC-11935) Brooklyn, NY, January 20, 2011. The Board having considered objections to an election held September 3, 2010, and the Regional Director's report recommending disposition of them. The Board having reviewed the record in light of exceptions and brief, adopted the Regional Director's findings and recommendations. There were no exceptions to the Regional Director's decision to direct a hearing concerning surveillance issues in connection with the continued presence of petitioner's representatives outside the facility during the election. Petitioner – Local 116, Wholesale and Department Store Union, United Food and Commercial Workers Union. Chairman Liebman and Members Pearce and Hayes participated.

Decisions of Administrative Law Judges

Ridgewood Country Club (The) (22-RC-13161; JD(NY)-02-11) Paramus, NJ. Recommended decision on objection. Charge filed by Laborers International Union of North America, Local 78. Administrative Law Judge Eleanor MacDonald issued her decision January 13, 2011. [[HTML](#)] [[PDF](#)]

Sunrise Mountainview Hospital, Inc. d/b/a Mountainview Hospital, Inc. (28-CA-23061, 23096; JD(SF)-02-11) Las Vegas, NV. Decision and order transferring proceeding to NLRB. Charges filed by Service Employees International Union, Local 1107. Administrative Law Judge Gerald A. Wacknov issued his decision January 19, 2011. [[HTML](#)] [[PDF](#)]

To have the NLRB's Weekly Summary of Cases delivered to your inbox each week, please [subscribe here](#).